

DECLARATION OF ABRAHAM MARTIN

I, Abraham Martin, hereby declare under penalty of perjury that the following statement is true to the best of my knowledge, information and belief:

1. I am Abraham Martin, a resident of Hawaii since June 14, 1967 and a defendant-appellant in the foregoing criminal and civil actions.

2. I am a degreed civil engineer and a general contractor in the State of Hawaii.

3. I was initially charged with a 27-count Secret Indictment, then a 10-count Information, and finally an 80-count Superseding Indictment. I pled "not guilty" to all three charging documents.

4. I was not afforded any lawful and fair plea bargaining, due to ineffective defense counsel who was overwhelmed with 60 cases to render any assistance in my defense.

5. The plea agreement is a contract, which is invalid due to lack of many essential elements required of a legally enforceable contract: (1) offer and acceptance, (2) mutual agreement (meeting of the minds), (3) consideration, (4) competent parties, (5) legally of purpose and (6) proper form. Elements (1) through (5) were definitely missing in the plea agreement.

6. The plea agreement, as drafted by the government, is nothing but a contract of adhesion and an unconscionable contract. Moreover, it was obtained under coercion. See Exhibit "C" herewith appended.

7. The property address at 4580 Kilauea Avenue, Honolulu, HI 96816-5014 was put into "TRUST" over 20 years ago, by a lawyer.

8. In 1999, Anna Martin, co-defendant, who was innocent but implicated by the government in my criminal case, was struck with diabetes type I. So I decided to give her my interest in the property for her to take care of our two children, as a token of forever love and promise.

9. I am indigent. I do not own any real property or personal property, tangible or intangible. If any, they are of no value or minimal value.

DATED: Lompoc, California May 18 , 2008

A handwritten signature in cursive script, appearing to read 'Abraham Martin', written in dark ink.

Abraham Martin